

House File 2401 - Introduced

HOUSE FILE _____
BY GRASSLEY, KAUFMANN,
TYMESON, and MERTZ

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing a property owner defense fund and including
2 effective date and applicability date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6248HT 82
5 sc/rj/8

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1 1 Section 1. NEW SECTION. 6B.62 PROPERTY OWNER DEFENSE
1 2 FUND == COST REIMBURSEMENTS.
1 3 1. A property owner defense fund is created under the
1 4 control of the treasurer of state. Reasonable attorney fees
1 5 and reasonable costs, including expert witness fees and fees
1 6 relating to appraisal of property, incurred under section
1 7 6A.24 or chapter 6B by a property owner whose property is the
1 8 subject of a condemnation action shall be paid from moneys
1 9 appropriated by the general assembly to the office of
1 10 treasurer of state for deposit in the property owner defense
1 11 fund.
1 12 2. Upon final disposition of a condemnation action, a
1 13 property owner may apply for reimbursement of costs incurred
1 14 pursuant to subsection 1.
1 15 3. The office of treasurer of state shall adopt rules in
1 16 accordance with chapter 17A to administer this section.
1 17 Sec. 2. EFFECTIVE DATE AND APPLICABILITY. This Act,
1 18 being deemed of immediate importance, takes effect upon
1 19 enactment and applies to condemnation proceedings pending or
1 20 commenced on or after that date.
1 21 EXPLANATION
1 22 This bill creates a property owner defense fund under the
1 23 control of the treasurer of state. Moneys appropriated to the
1 24 fund by the general assembly are required to be used to pay
1 25 the costs incurred by a property owner whose property is the
1 26 subject of a condemnation action. The bill provides that a
1 27 property owner may apply for reimbursement from the fund after
1 28 final disposition of a condemnation action.
1 29 The bill takes effect upon enactment and applies to
1 30 condemnation proceedings pending or commenced on or after that
1 31 date.
1 32 LSB 6248HT 82
1 33 sc/rj/8